

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**UNITED STATES OF AMERICA,**  
*Plaintiff,*

*v.*

**ÁNGEL FORTEZA-GARCÍA,**  
*Defendant.*

**CRIM. No.: 03-cr-73-RAM-2**

**MOTION TO GRANT AMENDMENT 821 STIPULATION OR SET ORAL ARGUMENT**

TO THE HONORABLE COURT:

By stipulation, Mr. Ángel Forteza-García and the United States have moved this Honorable Court to modify Mr. Forteza's sentence under Part A of Amendment 821. ECF No. 389 at 1-3. This stipulation was submitted June 4, 2024. If granted, it will likely result in his release in the near future—if not immediately. A virtually identical stipulation was submitted for Miguel Forteza-García, and it was granted by Your Honor on April 8, 2024. ECF No. 383.

04/08/2024	<a href="#">383</a>	ORDER REGARDING SENTENCE - USSG AMENDMENT 821 as to Miguel Forteza-Garcia (3). The previously imposed sentence of imprisonment is REDUCED to Two hundred and ninety-two (292) months. All other terms and conditions of the original judgment shall remain in effect. Signed by Judge Raul M. Arias-Marxuach on 4/8/2024. .... (Entered: 04/08/2024)
------------	---------------------	--

Miguel is Ángel's brother and has identical criminal history. Miguel also pleaded guilty to the same offense and nearly identical conduct. The Court's April 8, 2024 order resulted in Miguel's release from BOP Custody as of October 11, 2024. *See* <https://www.bop.gov/inmateloc/> (enter reg. no. 26007-069).

Currently, Mr. Forteza is at Devens Federal Medical Center with a projected release date of June 26, 2027. Since the parties' stipulation seeks a 32-month reduction under Amendment 821 (from 324 months to 292 months), Mr. Forteza's projected release date will have already passed. For if we subtract 32 months from June 26, 2027, the result is October 26, 2024.

As such, if the Court has sufficient information to grant the parties' stipulation/joint motion here, it is requested that Court issue a ruling as previously requested. We note that the only difference from Miguel's order is that the order requested here should be an "indicative ruling" since Ángel Forteza's case is on appeal regarding an unrelated issue. *See* ECF No. 389 at 2-3. In the alternative, and given the risk of overservice should the motion be granted, it is requested that the Court schedule a hearing for the earliest date available in the Court's calendar.

**WHEREFORE**, it is requested that the Court either grant the pending sentence-reduction stipulation or set the case for a hearing.

**RESPECTFULLY SUBMITTED** in San Juan, Puerto Rico, on February 4, 2025.

**RACHEL BRILL**  
Federal Public Defender,  
District of Puerto Rico

**S/VIVIANNE M. MARRERO-TORRES**  
Supervisor Assistant Federal Public Defender  
USDC-PR 223505

**S/KEVIN E. LERMAN\***  
USDC-PR G03113  
Assistant Federal Public Defender  
241 F.D. Roosevelt Ave.  
San Juan, P.R. 00918-2441  
Tel. (787) 281-4922, Fax (787) 281-4899  
E-mail: Kevin\_Lerman@fd.org

**\*I CERTIFY** that I ECF-filed this motion (without restrictions), thereby notifying the parties, including government counsel.